

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

TAMARA MOORE, et al., Case No. 3:16-cv-7001-MMC

Plaintiffs,

v.

MARS PETCARE US, INC., et al.,

Defendants.

PLAINTIFFS' AND DEFENDANTS MARS PETCARE US, INC.'S AND ROYAL CANIN U.S.A., INC.'S AGREED MOTION TO MODIFY PRETRIAL SCHEDULING ORDER

WHEREAS, the Court entered its partial Case Management Schedule at the initial Case Management Conference, as confirmed by the Civil Minutes filed on February 19, 2021 (Dkt. No. 162);

WHEREAS, on October 4, 2021, the Parties stipulated and respectfully requested the Court extend certain discovery deadlines in the Case Management Schedule and Pretrial Schedule (Dkt. No. 172);

WHEREAS, on October 4, 2021, the Court granted the Parties' stipulated modification to the Case Management Schedule and Pretrial Schedule (Dkt. No. 173);

WHEREAS, on December 28, 2021, the Parties stipulated and respectfully requested the Court extend certain discovery deadlines in the Case Management Schedule and Pretrial Schedule (Dkt. No. 186);

1 WHEREAS, on January 5, 2022, the Court granted the Parties' stipulated
2 modification to the Case Management Schedule and Pretrial Schedule (Dkt. No. 188);

3 WHEREAS, on April 13, 2022, the Parties stipulated and respectfully requested
4 the Court extend certain discovery deadlines in the Case Management Schedule and
5 Pretrial Schedule (Dkt. No. 204);
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7 WHEREAS, on April 13, 2022, the Court granted the Parties' stipulated
8 modification to the Case Management Schedule and Pretrial Schedule (Dkt. No. 205);
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10 WHEREAS, on July 26, 2022, the Court granted, as modified, Plaintiffs' Motion
11 to Amend Pretrial Scheduling Order ("Amended Pretrial Schedule") (Dkt. No. 218);
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13 WHEREAS, Plaintiffs have not completed fact discovery relating to class
14 certification against Defendants Mars Petcare U.S., Inc. ("Mars") and Royal Canin
U.S.A., Inc. ("Royal Canin");
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16 WHEREAS, in an effort to promote efficiency and minimize the burden on the
17 parties and this Court, Plaintiffs and Defendants Mars and Royal Canin have met and
18 conferred on numerous occasions regarding disputes and clarifications on discovery-
19 related matters;
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21 WHEREAS, there is one outstanding discovery-related matter, which counsel
22 are working together to cooperatively resolve;
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24 WHEREAS, Plaintiffs have deposed two Rule 30(b)(6) designees identified by
25 Defendants Mars and Royal Canin. The parties need to reschedule the deposition of
26 Mr. Viral Patel, Mars' and Royal Canin's final Rule 30(b)(6) designee once the
27 aforementioned discovery-related matter is resolved;
28

1 WHEREAS, counsel for Plaintiffs and counsel for Defendants Mars and Royal
2 Canin have conferred in good-faith and agreed to extend the discovery deadline to
3 complete class certification discovery against Mars and Royal Canin in this case to
4 provide additional time for Plaintiffs and Mars and Royal Canin to resolve the
5 outstanding discovery-related matter and to complete the deposition of Mars' and
6 Royal Canin's final Rule 30(b)(6) designee, Mr. Patel;

7 WHEREAS, the deadlines in the Amended Pretrial Schedule have yet to expire
8 and this Motion is timely;

9 WHEREAS, Plaintiffs and Defendants Mars and Royal Canin seek to extend the
10 date to complete fact discovery relating to class certification against Mars and Royal
11 Canin until December 9, 2022 so that Plaintiffs may complete the deposition of Mars'
12 and Royal Canin's final Rule 30(b)(6) designee, Mr. Patel. Plaintiffs and Defendants
13 Mars and Royal Canin do not seek to extend any of the other deadlines in the Amended
14 Pretrial Schedule set by this Court on July 26, 2022.

15 WHEREAS, good cause exists to extend the discovery deadline to permit
16 Plaintiffs and Mars and Royal Canin time to resolve one outstanding discovery-related
17 matter in advance of the deposition of Defendants Mars' and Royal Canin's final Rule
18 30(b)(6) designee, Mr. Patel, and allow Plaintiffs time to prepare for Mr. Patel's
19 deposition once the parties' discovery-related matter is resolved.

20 NOW, THEREFORE, Plaintiffs and Defendants Mars and Royal Canin, through
21 their counsel, hereby respectfully request that the Court order the following
22 modifications to the Amended Pretrial Schedule, with all other dates in the Amended
23 Pretrial Schedule set by this Court on July 26, 2022 remaining the same.

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Deadline	Amended Pretrial Schedule
Last Day for Plaintiffs to Complete Class Certification Discovery Against Mars/Royal Canin	December 9, 2022

Dated: November 11, 2022 WALKUP, MELODIA, KELLY & SCHOENBERGER

By: /s/
MATTHEW D. DAVIS
Attorneys for Plaintiffs

Dated: November 11, 2022 WILLIAMS & CONNOLLY LLP

By: /s/
JOSEPH S. BUSHUR
Attorneys for Defendants Mars Petcare US, Inc. and Royal Canin U.S.A., Inc.

IT IS SO ORDERED.

Date: November 14, 2022



MAXINE M. CHESNEY
United States District Judge